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In re Application of:
Sadanori Yamanaka et al.
Serial No.: 10/614,062
Filed: July 8, 2003
Attorney Docket No.: 3885-0107P

DECISION *SUA SPONTE*
WITHDRAWING HOLDING
OF ABANDONMENT

This is a decision, *sua sponte*, withdrawing the holding of abandonment of the above-identified application.

A Notice of Appeal was filed on August 11, 2005. An Appeal Brief was due within two months of the date of the Notice of Appeal and extensions of this time period were governed by 37 C.F.R. § 1.136(a). Before the maximum extendable time for filing the Appeal Brief expired, the application was erroneously held abandoned and a Notice of Abandonment was mailed on February 21, 2006.

Although no petition or request to withdraw the holding of abandonment in this application has been filed, the Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn in view of the fact that a Request for Continued Prosecution (RCE) along with a submission under 37 C.F.R. § 1.114(c) and a petition for an extension of time of four months were timely filed on February 21, 2006. The application is not abandoned in fact.

The RCE will be processed and an Office action will be prepared by the examiner in due course.

Any inquiry regarding this decision should be directed to Hien H. Phan, Special Program Examiner, at (703) 308-7502.

Robert Oberleitner, Group Director
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